C.S. 1002

Single Bench

(8)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION No. 669 2005

PETITIONER :- Jaideo, Son of Sundro Chowhan,
Aged about 50 years,
Resident of village Siyarpali,
Tahsil & District Raigarh,
Chhattisgarh.

655/05
P.R. No. Leeladhar Yadav
Presented by Shri
dated 17-02-05

VERSUS

RESPONDENTS :- 1. The State of Chhattisgarh,
Through the Secretary,
Revenue Department,
D. K. S. Bhawan, Raipur,
Chhattisgarh.

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2. The Collector,
Raigarh, Chhattisgarh.

3. The Naib Tahsildar, Raigarh,
District Raigarh, Chhattisgarh.

4. Videshi Chowhan,
Son of Muni Ram
aged about 33 yrs.
Resident of village Loing,
Tahsil & District Raigarh,
Chhattisgarh.

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ...WP 669/05... **सन् 200** 19

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

07-03-2005

Shri Leeladhar Yadav, counsel for the petitioner.

Heard on admission.

The instant petition has been preferred by the petitioner under Article 226/227 of the Constitution of India, against the inaction on the part of the respondents.

The case of the petitioner is that he is the grand son of late Dasru, who was ~~Gaun Ke~~ Kotwar from 1924-25 to 1945-46, claiming Bhumiswami right in respect of the land mentioned in para 5 of the petition with an averment that his grand father Dasru was Kotwar of village Loing, District Raigarh and he was given agricultural land bearing khasra No.9 rakba 11.50 acres by the then Malguzar/Zamindar namely Balbhadra Singh of Raigarh prior to 1950 and that is why his name was recorded in the revenue record (Zamabandi), copy of revenue record of 1924-25 is filed as Annexure-P/1. Further case of the petitioner is that the said land was in possession of late Dasru upto 1945-46 and thereafter Kotwar post was given to his cousin namely Mukru son of Raghunath, who was workings as Kotwar from 1945-46 to 1955-56, and thereafter the said post was given to one Saheb Ram and Saheb Ram having no male issue, hence, the post of Kotwar was given to his son-in-law namely Videshi Chouhan, respondent No.4 herein.

XI-HC-78

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	From the petition itself it is clear that the petitioner's grand father was in possession of the land till 1945-46 only. Thereafter the post of Kotwar was given to one Mukru and thereafter his son. Therefore, the land in question went in possession of Mukru and later on his legal representatives. After 1946 the petitioner or his father or his grand father was not in possession of the land in question, therefore, the petitioner has no case for the relief asked for in the instant petition. Accordingly, the petition is dismissed. Sd/- L.C.BHADOO Judge	